

LAW OFFICES OF STEPHEN M. MURPHY

Stephen M. Murphy, Esq. SB# 103768
180 Montgomery Street, Suite 940
San Francisco, CA 94104
Telephone: (415) 986-1338
Facsimile: (415) 986-1231

LAW OFFICES OF DAVID M. PORTER

David M. Porter, Esq. SB# 124500
101 California Street, Suite 2050
San Francisco, CA 94111
Telephone: (415) 982-8600
Facsimile: (415) 391-9515

Attorneys for Plaintiff
CHRISTINE DOUGHERTY

LEWIS BRISBOIS BISGAARD & SMITH LLP

Julian J. Pardini, Esq. SB# 133878
Stephen J. Liberatore, Esq. SB# 129772
One Sansome Street
Suite 1400
San Francisco, California 94104
Telephone: (415) 362-2580
Facsimile: (415) 434-0882

Attorneys for Defendant
AMCO INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRISTINE DOUGHERTY,

Plaintiff,

v.

AMCO INSURANCE COMPANY, and DOES
ONE through TWENTY, Inclusive,
Defendant.

) CASE NO. C 07-01140 WDB

) **FURTHER JOINT CASE MANAGEMENT**
) **STATEMENT**

) Date: November 5, 2007

) Time: 3:00 p.m.

) Dept.: 15

) Judge: Hon. Marilyn H. Patel

Plaintiff Christine Dougherty ("Plaintiff") and Defendant AMCO Insurance Company

("AMCO") jointly submit this Further Case Management Statement and request the Court issue its

Case Management Order pursuant thereto. The parties previously submitted to the Court a Joint Case Management Statement on May 29, 2007.

I. Activity Since July 9, 2007 Case Management Conference

At the first Case Management Conference in this matter on July 9, 2007, the Court ordered the parties to participate in a mediation within 90 days. During that time, each of the parties was allowed to take one deposition, with the proviso that AMCO could not take the deposition of either of plaintiff's attorneys.

On September 6, 2007, AMCO conducted the deposition of plaintiff Christine Dougherty. On October 8, 2007, plaintiff conducted the deposition of AMCO's claim adjuster, Jeffrey Mangone.

During this time, the parties were attempting to schedule a mediation with agreed mediator David Rudy. Due to calendaring issues of Mr. Rudy and counsel for the parties, they submitted to the court a stipulation to extend the time within which the mediation must occur for several weeks, to October 31, 2007.

The parties participated in the Court ordered mediation on October 17, 2007. The mediation lasted the entire day, with the parties exchanging various theories of liability and defenses. The mediation concluded without any exchange of settlement demands or offers, as Mr. Rudy believed some additional work needed to be completed by both sides before the case might be in a position for substantive settlement discussions to proceed. The parties are currently working on those issues and intend to return to mediation before the end of the year.

AMCO requests the Court lift its stay of activity in this action, and specifically that it be allowed to re-file its motion for summary judgment at this time. Plaintiff objects to the motion for summary judgment being filed at this time.

DATED: October 29, 2007

Respectfully submitted,

LAW OFFICES OF STEPHEN M. MURPHY

By /s/ Stephen M. Murphy

Stephen M. Murphy

Attorney for Plaintiff

CHRISTINE DOUGHERTY

LAW OFFICES OF DAVID M. PORTER

By /s/ David M. Porter

David M. Porter

Attorney for Plaintiff

CHRISTINE DOUGHERTY

LEWIS BRISBOIS BISGAARD & SMITH LLP

By /s/ Julian J. Pardini

Julian J. Pardini

Stephen J. Liberatore

Attorneys for Defendant

AMCO INSURANCE COMPANY

LEWIS BRISBOIS BISGAARD & SMITH LLP

ONE SANSOME STREET, SUITE 1400
SAN FRANCISCO, CALIFORNIA 94104
TELEPHONE (415) 362-2580